

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

ESTATE OF VALERIE YOUNG, et al.,

ECF Case

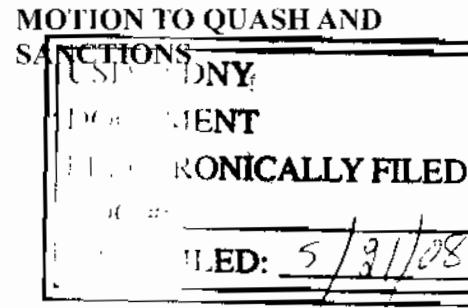
plaintiffs,

Case No.: 07-CV-06241 (LAK)

- against -

STATE OF NEW YORK OFFICE OF MENTAL
RETARDATION AND DEVELOPMENTAL
DISABILITIES, et al.,

defendants.



PLEASE TAKE NOTICE THAT upon the accompanying Memorandum of Law and exhibits, including the Declaration of Jonathan Bauer, signed under penalty of perjury on May 16, 2008 and all pleadings and prior proceedings heretofore had herein, the Plaintiffs, by their attorneys, the Catafago Law Firm, PC and Jonathan Bauer, Esq. hereby move pursuant to Rule 45(c) of the Federal Rules of Civil Procedure for an order quashing the subpoena served upon Dr. Richard P. Bindie, plaintiffs' expert witness, and compensatory attorney fees as a sanction.

Dated: New York, New York
May 19, 2008

Catafago Law Firm, P.C. &
Jonathan Bauer
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s/

By: Jonathan Bauer

*Plaintiff lacks standing
to assert an objection with
respect to the place of
the service and the tender
of proper notice. Its
other objections are unfrivolous.*

Motion denied.

AN ORDERED

LEWIS A. KAPLAN
LEWIS A. KAPLAN 5/20/08